

### **REMARKS/ARGUMENTS**

Summarizing this amendment, claims 3-7, 10, 14, 16 and 19 have been amended; claims 8, 9, 11-13, 15 and 17 remain unchanged; claims 20-22 have been added, and claims 1, 2 and 18 have been canceled. Thus, claims 3-17 and 19-22 are here presented for the examiner's consideration.

With regard to the rejection under 35 USC 112, applicant believes that the claims particularly point out and distinctly claim the subject matter which applicant regards as his invention, and that is all the Patent Act requires. According to MPEP 2173.02, some latitude in the manner of expression should be permitted even though the claim language is not as precise as the examiner might desire. The language must be such that a person of ordinary skill in the art can interpret the metes and bounds of the claim so as to understand how to avoid infringement. Applicant believes that the claims satisfy these requirements, but if the examiner disagrees, applicant would appreciate suggested wording that would overcome the deficiencies perceived by the examiner.

New independent claim 20 represents former dependent claim 6 in independent condition and as such includes the limitations of former claims 1, 2 and 6. It is believed to be allowable in view of paragraph 6 of the official action as are claim 7-9 which depend from it.

As amended, independent claim 16 includes the limitations of former dependent claim 18. It is likewise believed to be allowable in view of paragraph 6 of the official action as are claims 17 and 19 which depend from it.

Heretofore continuous gear hinges have provided electrical connections to electrically operated components in the doors supported by such hinges. Typically, a gear hinge extends the full length of a door (about 83 inches), rendering it somewhat cumbersome to install. When wires are involved, the installation becomes more difficult. Usually, the workman first installs the hinge along the side edge of a door, insuring that the electrical wires in the hinge are connected with the electrically operated door components through wires already in the door. Then the workman must raise the door, align the hinge with the hinge jamb on the frame for the door, and secure the extended hinge to the hinge jamb. The presence of an electrical conductor in the hinge makes the task all the more complicated since the conductor must be connected to wires in the door frame while the door is held along the hinge jamb of the frame. This in itself is difficult and the possibility always exists that the wires may become pinched between the hinge and the jamb or abraded. Applicant's hinge eliminates these problems.

Indeed, a workman installs applicant's hinge on the door and then on the hinge jamb without its conductor assembly, that is to say without the two pivot members and the conductor extending between them. The workman need not concern himself about the wires in the door and jamb, other than to insure that those wires remain accessible at the cutouts in the leaves. Then the workman connects the electrical conductor of the conductor assembly to the wires in the door and door frame and fits the pivot members to the hinge leaves, securing them in place so that they obscure and render the electrical conductor

inaccessible. Moreover, the wires can be easily serviced simply by removing the conductor assembly. New claim 21 and amended claim 10 set forth a hinge having the foregoing capability.

Indeed, claim 21 calls for a conductor assembly having first and second pivot members and an electrical conductor extended between them. The claim specifies that the leaves of the hinge have interrupted gear segments which mesh and are held together with a cap. According to the claim, the pivot members are mounted in a fixed position with respect to the leaves where the gear segments of the leaves are interrupted and that here they obscure and render inaccessible the electrical conductor where it passes through the interior of the cap that maintains the gear segments meshed. The claim goes on to recite that the conductor assembly is separable from the hinge leaves without withdrawing the cap that holds the hinge leaves together, or in other words, without disassembly of the hinge. The specification in the paragraph bridging pages 9 and 10 provides antecedent support for the separability discussed above.

In rejecting several claims earlier presented in Amendment A, the examiner asserted that applicant's hinge as set forth in those claims was obvious in view of U.S. patent 5,201,902 (Baer) and U.S. patent 5,001,810 (Baer). The Baer '902 patent shows notches 30 in the leaves 2 and 4 of a gear hinge, with those leaves being held together by a cap or clamp 6. The notches 30 contain bearing blocks 40 and 42 which in one way or another interlock with themselves or another element to prevent them from slipping longitudinally relative to each

other. This in turn keeps the hinge leaves 2 and 4 from sliding relative to each other along their gear segments 14. The blocks 40 and 42 cooperate to obscure the interior of the cap 6 that holds the hinge leaves 2 and 4 together. But the blocks 40 and 42 also interlock with the ribs 26 that run the length of the cap 6 and cannot be withdrawn from the notches 30 without disassembling the entire hinge. The Baer 810 patent, on the other hand, shows a continuous gear hinge having leaves 12 and 14 that are prevented from slipping by bearing blocks 50. A spring 116 that extends behind the block 50 and projects laterally from it, and the spring 116 serves as an electrical conductor. Again, the bearing block 50 interlocks with the cap 20 that holds the leaves 12 and 14 together. The bearing block 50 may contain channels 112 and 114 that receive electrical wires (col. 8, lines 51-57). The examiner reasons that it would have been obvious to incorporate the electrical conductors mentioned in Baer '810 into the hinge of Baer '902.

If one equates the bearing blocks 40 and 42 of Baer '902 to the pivot members set forth in claims 10 and 21, then one must recognize that those blocks 40 and 42 cannot be separated from the hinge leaves 2 and 4 without removing the cap 6 and in effect disassembling the hinge. That would contradict the reason for using the removable conductor assembly made possible by pivot members that can be separated from the hinge leaves without removing the door that the hinge supports and then withdrawing the cap that holds the hinge leaves together.

The bearing blocks 40 and 42 of Baer '902 serve a purpose entirely different than the pivot members of the conductor assembly for the hinge set forth in claims 10 and 20. The bearing blocks 40 and 42 function as bearings. The conduct assembly of applicant's invention permits easy access to electrical circuits that pass from a door frame to a door, all without removing the door or the hinge that supports it. The bearing blocks 40 and 42 of Baer '902 would not inspire removable pivot members that obscure an electrical conduct. They have nothing to do with electrical circuits. If Baer '910 would somehow inspire one to incorporate an electrical conductor into the bearing blocks of Baer '902, that still would not produce applicant's hinge with its removable conduct assembly.

Hence claim 21 is believed to be allowable, as are claims 2-6 and 22 which depend from it.

Independent claim 10 as amended likewise calls for removable pivot members and is believed to be allowable for the reasons advanced in the discussion of claim 21, as are claims 11-15 which depend from claim 10.

A check in the sum of \$200 is submitted herewith to cover the fee prescribed by 37 CFR 1.16(h) for one additional independent claim.

In view of the foregoing favorable consideration and allowance of the

Appl. No. 10/467,372  
Amdt. dated November 9, 2005  
Reply to Office action of August 9, 2005

application with 19 claims – namely, claims 3-17 and 19-22 – are respectfully  
requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edward A. Boeschenstein". The signature is fluid and cursive, with the first name "Edward" being more prominent.

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